

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CURTIS McDANIEL,

Plaintiff,

-against-

THE PEOPLE OF THE CITY OF NEW  
YORK, et al.,

Defendants.

19-CV-11265 (LLS)

ORDER

LOUIS L. STANTON, United States District Judge:

Plaintiff, who is currently incarcerated in Bare Hill Correctional Facility, filed this *pro se* action under 42 U.S.C. § 1983, while he was detained on Rikers Island. On August 28, 2020, the Court granted Plaintiff leave to submit a second amended complaint within 30 days. On October 14, 2020, the Court granted Plaintiff an extension of time, until December 15, 2020, to comply. Although Plaintiff's time to comply has not yet expired, on November 6, 2020, the Court received another request from Plaintiff for additional time. He asserts that he is currently "sickly" and has not yet received from the Court's Records Department a copy of the amended complaint, which he needs in order to draft the second amended complaint.<sup>1</sup> (ECF No. 18.) Plaintiff's request for another extension of time to file a second amended complaint is GRANTED.

The Court grants Plaintiff leave to file his second amended complaint by January 15, 2021.<sup>2</sup> If Plaintiff fails to comply within the time allowed and cannot show good cause to excuse

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<sup>1</sup> Plaintiff sent \$47.00 to the Court's Records Department to obtain a copy of the 94-page amended complaint. On November 13, 2020, the Records Department sent to Plaintiff a copy of the amended complaint.

<sup>2</sup> Plaintiff's second amended complaint must comply with the Court's August 28, 2020 order. Plaintiff should note that the order does not require him to make legal arguments or include any evidence, but simply to allege facts suggesting that the named defendants violated his rights during his arrest, subsequent detention, and criminal proceedings. Plaintiff should only

such failure, this action will be dismissed for failure to state a claim upon which relief may be granted.

SO ORDERED.

Dated: November 20, 2020  
New York, New York

Louis L. Stanton  
Louis L. Stanton  
U.S.D.J.

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allege claims arising out of his July 14, 2015 arrest. Thus, there is no need at this juncture for Plaintiff to do legal research or obtain additional information.